[C. O. Madhavan.]

(*b*) Yes. A few of the defaulters who were given shops again defaulted during 1108-1109 contract. These shops were resold.

(*c*) Yes. There was a decrease of Rs. 4,241-24-12.

(*d*) Proceedings under the Revenue Recovery Regulation are in progress for the realisation of the amounts due from the contractors who defaulted.

(*e*) No amount has been written off.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): With regard to the answer to part (*a*), may I know whether the shops of the defaulters were re-sold in that year?

MR. C. O. MADHAVAN (*Excise Commissioner*): Yes, that is why they are called defaulters.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): May I know from the member for how much they were resold?

MR. C. O. MADHAVAN (*Excise Commissioner*): That information is not with me now.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertallai II*): May I know from the member why these 1106-1107 defaulters were again given shops during the period 1108-1109?

MR. C. O. MADHAVAN (*Excise Commissioner*): Sir, it is only at the end of the year of any contract that we come to know whether a man becomes a defaulter or not. The *kists* are expected to be paid before the end of Edavam. But even persons who are not defaulters pay up only before the end of Karkatakam. But the auction begins in Meenam and ends with Mithunam. It is therefore not possible to know at the time of the auction whether any bidder may become a defaulter later on, and to exclude him from participation in the auction.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): What is the amount of default?

MR. C. O. MADHAVAN (*Excise Commissioner*): That information is not now available.

MR. EDAVANATT S. PADMANABHA MENON (*Shertala I*): Regarding the answer to part (*d*), may I know from the member how much amount has been actually collected so far under the Revenue Recovery Regulation?

MR. C. O. MADHAVAN (*Excise Commissioner*): I claim notice.

Judges and Munsiffs.

90. ***MR. POTTAYIL S. KRISHNA PANICKAR** (*Shertala II*): (*a*) Will the Government be pleased to lay on the table a caste-war list of the High Court Judges, District and Session Judges, Second, Additional and Temporary Judges and District Munsiffs, permanent and temporary?

(*b*) Will the Government be pleased to state:

(i) whether the principle of communal representation is followed in the matter of recruitment of Judges and Munsiffs;

(ii) if the answer is in the affirmative, whether it is followed both in the initial appointment and in the matter of promotions; and

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(iii) whether seniority in service is one of the chief considerations in the matter of promotions of Sirkar Vakils as Judges?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): (*a*) The required statement is laid on the table.

(*b*) (i) Consideration of communal representation is also taken into account in the matter of recruitment of Munsiffs but, in the recruitment of Munsiffs and Judges, efficiency and character form the chief test.

(ii) It is done in the case of initial appointment.

(iii) Sirkar Vakils are treated as members of the Bar for the purpose of recruitment as Judges and the principle adopted for recruitment from the Bar is mostly followed in their case as well.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): With reference to the answer to part (*b*), may I know whether any communal proportion is maintained in the matter of appointments of Munsiffs and Judges?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): Communal representation is considered in the case of the appointment of Munsiffs; whereas, in the case of appointment of Judges, it is efficiency and character that are ordinarily taken into consideration. I cannot say whether mathematical exactitude is maintained in the appointment of Munsiffs in proportion to the population of the various communities in the State. But I can say that communal representation is also taken into consideration in the matter of the appointment of Munsiffs.

MR. POTTAYIL S. KRISHNA PANICKAR (*Shertala II*): May I know from the member whether any communal proportion is maintained in the appointment of Judges?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): No, Sir.

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): Are there not any qualified applicants among the Gouda Saraswat community for the post of Munsiffs and Second Judges?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): I have no information, Sir. I claim notice.

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): Are there not any applicants from Sirkar Vakils belonging to that community for the post of Second Judges?

RAO SAHIB DR. N. KUNJAN PILLAI (*Chief Secretary to Government*): There are Sirkar Vakils belonging to that community and they may have applied for Second Judges' places. I cannot say for certain they have done so.

PRESIDENT: The question time is over and we will now pass on to Legislative business.

**Vide* Appendix IV.

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Appendix IV.

Vide Answer to Question No. 90.

Statement, by caste, of High Court Judges, District and Sessions Judges, Second, Additional and Temporary Judges, and District Munsiffs, permanent and temporary, as it stood on the 20th Thulam 1111, M. E.

Designation	Hindu								Muslim	Christian						Remarks.
	Brahmin	Nayar	Other Caste Hindu	Kammala	Nadar	Ezhava	Cheramar (Pulaya)	Other Hindu		Jacobite	Marthomite	Syrian Catholic	Latin Catholic	South Indian United Church	Other Christian	
High Court Judges *	..	3	1	..	..	..	...	..	..	..	2	1	..	..	..	
District Judges	3	2	..	..		1	..	..	..	..	..	..	..	..	..	
Second Judges	1	..	2	..	..	..	..	..	1	1	1	1	1	1	..	
Munsiffs	10	15	4	..	..	2	..	.	1	2	1	1	1	2	1	

* Mr. A. Venkata Rao (Brahmin) is on leave and Mr. K. Sankaran Pandalai, other Caste Hindu, is acting. Dr. Nokes, other Christian, is on other duty and Mr. G. Parameswaran Pillai Nair, is acting.